

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:06-cr-59-MHT
)
 ERIC JONATHEN O'REE)

GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE

COMES NOW the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and Kent B. Brunson, Assistant United States Attorney for the Middle District of Alabama, and pursuant to United States Sentencing Guideline Section 5K1.1 moves for a one (1) level downward departure in Mr. O'Ree's total offense level. This request is based upon the following:

- 1) Since his arrest in this case, Mr. O'Ree has cooperated fully with federal law enforcement officials. Specifically, Mr. O'Ree has provided law enforcement officials with detailed information concerning the criminal activities relating to mail fraud and fraudulent check activities within the State of Alabama.
- 2) As a result of Mr. O'Ree's timely plea of guilty and the usefulness of his truthful and significant assistance to law enforcement personnel, significant progress has been made in the investigation and prosecution of illegal activity within Alabama and the government has been able to utilize its resources effectively.

WHEREFORE, for all the reasons set forth above and pursuant to U.S.S.G. § 5K1.1, the government is satisfied the defendant is entitled to a one (1) level reduction in his total offense level.

Respectfully submitted this the 24th day of October, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Kent B. Brunson
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CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
Timothy Halstrom.

Respectfully submitted,
LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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